

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10 are currently pending in this application and Claims 1-10 are amended. The Abstract has been amended to remove the second paragraph. The amendments to the claims are cosmetic in nature, as these changes have been made to improve form, not change substance. As the changes made are cosmetic, no new matter has been added.

In the outstanding office action, Claims 1-10 were rejected as unpatentable over Kroon et al. (WO 00/18041, hereinafter Kroon) in view of McGibney (U.S. Patent No. 6,594,273).

Applicants respectfully traverse the outstanding ground of rejection because the outstanding Office Action fails to provide a *prima facie* case of obviousness by asserting prior art that, no matter how the prior art references are combined, does not teach every limitation of independent Claim 1.

To establish a *prima facie* case of obviousness, M.P.E.P. §2143 requires that three criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the references teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claim elements.

Claim 1 is directed toward a method of primarily an arrangement of information being transmitted in a telecommunications network that includes several stations for transmission of data and speech information. Data and speech sub-channels are time-multiplexed with a general services and synchronization sub-channel to form a frame.

With respect to the rejection of Claim 1, Applicants respectfully submit that the combination of Kroon and McGibney fails to disclose all of the elements of Claim 1. Claim 1 recites "... normally time-multiplexing of a data information sub-channel into a first group of time slots and a speech information sub-channel into a second group of time slots along with providing at least one general service and synchronization sub-channel time slot to form a frame...." However, Kroon does not disclose time multiplexing of data and speech sub-channel time slots as part of forming a frame.

On the contrary, Kroon discloses dividing a control channel into epochs and time slots.¹ The time slots represent periods when two nodes can communicate with each other.² The time slots are numbered and the nodes wait for their numbered time slot to cycle around before communicating again.³ The time slots 171-173 of Fig. 6 are not grouped differently, contrary to Claim 1. The time slots are a way to allocate transmissions based on the groupings of nodes that are communicating. For example, Fig. 6 shows that nodes 1 and 3 communicate during time slot 171. On the other hand, Claim 1 is directed to normally allocating different types of information for inclusion in different groups of time slots in a frame.

Accordingly, as Kroon only discloses that the information that is transmitted during any time slot is a digital data packet, which can be either audio or data,⁴ there is no clear distinction between transmitting data and audio in Kroon.

¹ Kroon, page 13, line 7.

² Kroon, page 13, lines 6-15.

³ Kroon, Fig. 6 and page 13, line 14.

⁴ Kroon, page 9, lines 2-3.

Therefore, Kroon also does not disclose different sub-channels for audio and data because each time slot is used by nodes to communicate a digital data packet.

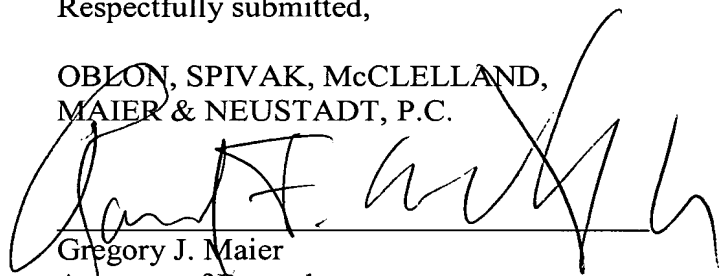
In view of the above distinctions, Applicants respectfully submit that Claim 1 (and its dependent Claims 2-10) patentably distinguish over Kroon in view of McGibney.

Applicant respectfully requests that the Information Disclosure Statement filed on November 15, 2001 be acknowledged on the record in its entirety. The reference Wang et al., listed in the Other References section on Form 1449, was not acknowledged on the record.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A large, stylized handwritten signature in black ink, likely belonging to Gregory J. Maier, is written over the printed name and firm information.

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